

# DIRECTIVE

## WORKFORCE INVESTMENT ACT

Number: WIAD01-19

Date: June 12, 2002  
69:50:va:5563

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: LOCAL PLAN MODIFICATIONS PY 2002-03 **(INACTIVE)**

### EXECUTIVE SUMMARY:

#### Purpose:

The purpose of this directive is to provide instructions and revised forms for submittal of the Program Year (PY) 2002-03 (third-year) modification of the Local Workforce Investment Area (LWIA) Strategic Five-Year Local Plans.

#### Scope:

This directive applies to all LWIAs.

#### Effective Date:

This directive is effective on the date of its issuance.

### REFERENCES:

- Workforce Investment Act (WIA) Section 118
- Title 20 of the Code of Federal Regulations (CFR) Part 661.355
- Information Bulletin WIAB99-2, Subject: WIA Initial Local Planning Guidance (December 14, 1999)
- Directive WIAD00-9, Subject: Second-Year Local Plan Modifications (May 21, 2001)
- Information Bulletin WIAB01-92, Subject: WIA Expenditures and Participant Report (March 22, 2002)
- Information Bulletin WIAB01-93, Subject: Allocations for Program Year 2002-03 (March 26, 2002)
- Directive WIAD01-17, Subject: Transfer of Funds – Adult and Dislocated Worker Formula Allocations (April 17, 2002)

## **STATE-IMPOSED REQUIREMENTS:**

This directive contains State-imposed requirements, which are indicated in ***bold, italic type***.

## **FILING INSTRUCTIONS:**

This directive finalizes Draft Directive WIADD-32, issued for comment on April 24, 2002. Retain this directive until it is rescinded.

## **BACKGROUND:**

The Local Workforce Investment Boards (LWIB) submitted their initial Strategic Five-Year Local Plans pursuant to the requirements in WIA Section 118, instructions in [Information Bulletin WIAB99-2](#), dated December 14, 1999, and several issuances of supplemental guidance. Title 20 CFR Part 661.355 states that the Governor must establish procedures governing the modification of local plans. [Directive WIAD00-9](#), dated May 21, 2001, provided instructions for submitting the second-year plan modifications. Situations in which the Governor may require modifications include:

- Significant changes in local economic conditions,
- Changes in the financing available to support WIA Title I and partner-provided WIA services,
- Changes to the LWIB structure, or
- A need to revise strategies to meet performance goals

## **POLICY AND PROCEDURES:**

This directive includes the attachment *WIA Local Plan Modification Program Year 2002-03 Instructions and Forms*, which contains revisions to forms that were issued for the second-year modification. The attachment includes:

- A Local Plan Modification cover page
- Forms completion instructions
- A Local Plan Table of Contents page which allows you to indicate revisions
- A Signature Page for the PY 2002-03 (third-year) modification
- Required third-year Budget Plan Summary and a Participant Plan Summary forms
- A revised Local Performance Indicators and Goals chart

These may be accessed at [www.edd.ca.gov/wiaricp.htm](http://www.edd.ca.gov/wiaricp.htm). If you need to make changes to any of the narrative portions submitted with your initial plan or the second-year modification, you may access the appropriate forms at the same Web site (Note: the narrative forms are in the Resource Center Planning Documents as an attachment to [Information Bulletin WIAB99-2](#)).

***Local plans must be modified to include the following elements, as applicable:***

### **Remaining Elements From Initial Plans and/or Second-Year Modifications**

Some local plans may be missing some required elements. For example, local areas may not have submitted all of their fully executed Memorandums of Understanding (MOU). One of the elements required in the MOUs, per WIA Section 121(c)(2)(A)(ii), is “how the costs of such services and the operating costs of the system will be funded.” The State approved those MOUs that indicated that cost-sharing arrangements would be developed. In addition, some of the MOUs did not include specific information about referral methods. As a requirement of WIA Section 121(c)(2)(iii), MOUs shall contain provisions describing the “methods for referral of individuals between the One-Stop operator and the One-Stop partners, for the appropriate services and activities.” ***Local areas must attach fully executed MOUs not already submitted with the initial plan or the second-year modification for all required partners that describe the cost-sharing arrangements and methods of referral, as well as the other required elements in WIA Section 121(c). If there is more than a single One-Stop in the local area, the MOUs must address the cost-sharing arrangements and other Section 121(c) requirements regarding each of the One-Stops, including descriptions of any differences or unique arrangements regarding the various sites. If cost-sharing arrangements are not included as part of the MOU but are contained in another document (e.g., a lease agreement), provide a copy of that document with the MOU. The MOUs that were submitted with the initial plan or the second-year modification and have since been revised must also be attached. If any required MOUs have not yet been negotiated, these must be identified and a description of the ongoing efforts and/or problems in finalizing the memorandum(s) must be provided in the narrative section entitled “One-Stop Service Delivery System” in box “R.” Please indicate the projected dates, if known, of full execution.***

Please work with your Regional Advisor to identify any other items required in the initial plan and/or second-year modification guidance which were not included, and submit them in your third-year modification.

### **Significant Changes**

As described in the Background above, Title 20 CFR Part 661.355 provides examples of situations for which the Governor may require modification of the local plan. ***The State requires LWIBs to modify their local plans to include any of the four changes referenced in Title 20 CFR Part 661.355 which are applicable to the local area.***

***Significant changes in local economic conditions must be described in the narrative section entitled “Labor Market Analysis.”*** For example, some areas have been subject to significantly increased numbers of dislocated workers and higher unemployment rates caused by the terrorist attacks of September 11, 2001, as well as a general downturn in the economy.

**All local areas will have changes in available financing to support Title I services, i.e., the PY 2002-03 allocations, which are to be incorporated in the modification on the Budget Plan summaries.**

“Changes to the LWIB structure” does not mean changes in specific individuals on the board. Rather, it refers to changes in numbers of members, additional partnership categories, and other structural changes (for example, the establishment of a youth council within the board). No structural changes can be made which would eliminate any required partner categories, or which would eliminate the private sector majority. **Any applicable changes must be discussed in the narrative section entitled “Leadership” in box “C” and any other applicable sections/boxes.** For example, if there are changes regarding the youth council, these should be discussed in the narrative section entitled “Youth Activities” in box “A”.

Renegotiated second- and third-year performance goals may not be available by the time of your third-year modification submittal. However, even if they are not, you may decide locally, based on prior years’ experience, that you will need to change your strategies in order to meet your performance goals. **If so, discuss the strategic changes in the narrative section entitled “Local Vision and Goals” and/or any other applicable sections of the narrative.**

In response to the Department of Labor’s (DOL) concerns, the Employment Development Department (EDD) submitted a report to DOL entitled *Development of the Workforce Investment System in California: A Look at Recent Patterns of Expenditures and Participation*, dated February 25, 2002. This report was transmitted to local areas via [Information Bulletin WIAB01-92](#), dated March 22, 2002. To assist in developing the report, EDD solicited information from local areas regarding expenditure practices and experiences, and plans for increasing expenditures. In your local area, you may be planning strategic changes to ensure increased spending. **If so, identify these changes and enter them on applicable revised narrative pages.** For example, if you plan to streamline your delivery of core and intensive services to ensure a more expeditious flow of individuals to training, you should describe these changes in the narrative section entitled “Local One-Stop Service Delivery System” in box “D.”

### **PY 2002-03 (Third-Year) Forms**

The Title IB Adult or Dislocated Worker and Youth Budget Plan summaries, the Participant Plan Summary, and the Local Performance Indicators and Goals chart have been revised for the third year. Budget Plan forms were designed to provide quarterly expenditure planning for the two-year life of the funds. If second-year expenditure plans have changed (for example, due to a slow start-up), they must be revised accordingly. The local area allocations for PY 2002-03 were transmitted in [Information Bulletin WIAB01-93](#), dated March 26, 2002. **Local areas must complete and submit the Budget Plan summaries and the Participant Plan Summary as part of the modification. If you did not submit your Year 1 local performance goals in the initial plan or the second-year modification, or if corrections are necessary, enter the revised figures in the Year 1 column. If you are not renegotiating your**

**second- and third-year performance goals, or if you have renegotiated the goals by the time of your modification submittal, complete the Year 2 and Year 3 columns.** Guidance regarding completion of the third-year forms is attached to this directive.

### **Transfer of Funds – Adult and Dislocated Worker Formula Allocations**

[Directive WIAD01-17](#), dated April 17, 2002, provides State policy and procedures for the transfer of funds between Title I Adult and Dislocated Worker programs. You may submit a request for transfer at any time. If you wish to effect a transfer of PY 2002-03 funds at the time of the modification, you may submit the request with the modification. ***Follow the instructions in the directive for requesting the transfer. Make the appropriate entries on the budget and participant forms in the plan modification.***

### **Format**

In addition to the narrative pages, a complete package of PY 2002-03 (third-year) forms may be downloaded at [www.edd.ca.gov/wiaricp.htm](http://www.edd.ca.gov/wiaricp.htm). Included you will find a Local Plan Table of Contents that has columns for indicating which plan sections have been revised. ***Only those items that are new (e.g., third-year Budget Plan summaries and Participant Plan Summary), those items that were not submitted with the initial plan and/or the second-year modification (e.g., new or revised MOUs), and items requiring changes (e.g., a revised Local Performance Indicators and Goals chart, revised narrative pages relating to significant changes in the local economy, LWIB structure changes, and strategic changes to meet performance and expenditure goals) must be included in the modification. Please annotate each revised page with a revision date in the lower right corner of the page (e.g., "Rev. 6/28/02"). Complete the Local Plan Modification cover page. After the cover page, please arrange the modification in the order indicated on the Local Plan Table of Contents.***

### **Public Comment, Signatures, Due Date**

Plan modifications must be made available to the public through such means as public hearings and the local news media. Members of the LWIB and members of the public, including representatives of business and labor organizations, must be allowed to submit comments on the proposed modification to the LWIB. These must be submitted not later than the end of the 30-day period beginning on the date on which the proposed modification is made available.

***The plan modification is due to the State no later than August 30, 2002. Six copies are required, at least one of which must contain the original signatures of the LWIB Chair and the Chief Elected Official(s), or their designated alternates (Note: Alternates must be formally designated by official action of their respective boards or locally-approved policy). Some local areas may be unable to obtain the approval of both the LWIB and the Chief Elected Official(s) by the due date (e.g., because of the scheduling of their respective board meetings). If so, they must submit at least one copy of the unsigned modification by the due date and***

***provide an explanation and date by which the signed original and copies will be sent.***

**ACTION:**

Please bring this directive to the attention of all relevant parties. ***Complete the plan modification according to the instructions in this directive and attachment. Submit the modification no later than 5:00 p.m., on August 30, 2002, to:***

Mail: Program Section  
Workforce Investment Division, MIC 69-1  
Employment Development Department  
P. O. Box 826880  
Sacramento, CA 94280-001

Overnight Mail: Program Section  
Workforce Investment Division, MIC 69-1  
Employment Development Department  
800 Capitol Mall  
Sacramento, CA 95814

Hand Deliver: Program Section  
Workforce Investment Division  
Employment Development Department  
750 N Street  
Sacramento, CA 95814

**INQUIRIES:**

If you have any questions, please contact your assigned [Regional Advisor](#).

/S/ BILL BURKE  
Chief  
Workforce Investment Division

Attachment is available on the Internet:

WIA Local Plan Modification Program Year 2002-03 Instructions and Forms (PDF)